

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re patent application of: MARNAY, et al

Serial No.: 10,018,402

Filed: December 19, 2001

For: INTERVERTEBRAL IMPLANT

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:



Examiner:

Art Unit:

Docket #: P06794US00/MP

Attached is:

..... a response after Final Rejection dated
 a response to the Office Action dated
 a Second Preliminary Amendment with Attachment A
 a Petition for an extension of time
 X Other: IDS Trans. Ltr.; IDS; List of Refs; Refs (35)

Fees: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
TOTAL CLAIMS	54	20	34	X \$ 18 =	612
INDEP. CLAIMS	9	3	6	X \$ 84 =	504
TOTAL OF ABOVE CLAIMS FEES =					1,116
Reduction by ½ for small entity status of applicant					
SUBTOTAL =					1,116
Fee for extension of time (per attached Petition)					
Other fee for					
TOTAL OF ALL FEES =					1,116

X A check in the amount of \$1,116 is enclosed. If no check or an insufficient check is enclosed and a fee is due in connection herewith, the Commissioner is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555.

X In the event that a petition for extension of time is required to be submitted herewith and that a separate petition is not submitted herewith, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized above.

03/29/2002 INGUEN 00000000 10018402

01 FC:966
02 FC:964612.00 OP
504.00 OP

Respectfully submitted,

By: Marvin Petry
Registration No.: 22752

Date: March 26, 2002

LARSON & TAYLOR, PLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,402	Thierry MARNAY	P06794US00/MP
COPY		
INTERNATIONAL APPLICATION NO.		
PCT/EP99/04628		
I.A. FILING DATE	PRIORITY DATE	
	07/02/1999	

00881
 LARSON & TAYLOR, PLC
 1199 NORTH FAIRFAX STREET
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CONFIRMATION NO. 1151
 371 FORMALITIES LETTER



OC000000007545627

Date Mailed: 03/12/2002

5-12-2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

COPY

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

COPY

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,402	PCT/EP99/04628	P06794US00/MP

FORM PCT/DO/EO/905 (371 Formalities Notice)

COPY